

Decision No. 20218

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
EAST BAY WATER COMPANY, a corpora-
tion, for an order authorizing sale
of real property.

Application No. 14954.

BY THE COMMISSION:

O R D E R**ORIGINAL**

East Bay Water Company, a corporation, having made application to the Railroad Commission for authority to transfer certain non-operative property situate in the County of Alameda, and it appearing that this is not a matter in which a public hearing is necessary and that the authority should be granted,

IT IS HEREBY ORDERED that East Bay Water Company, a corporation, be and it is hereby authorized to transfer to C.P. Murdock:

All that certain lot, piece or parcel of land situate, lying and being in the Township of Eden, County of Alameda, State of California, and bounded and particularly described as follows, to-wit:

COMMENCING at a point located South 52° 09' 05" West, distant 64.07 feet from the most Southerly corner of Lot Numbered 487, as the said Lot is shown on that certain map entitled, "El Portal, Alameda County, California," etc., which map was filed May 26th, 1926, in the office of the County Recorder of said County of Alameda, and running thence from said point of commencement South 30° 25' 55" East, 150 feet; thence North 59° 34' 05" East, 150 feet; thence North 30° 25' 55" West, 150 feet; thence South 59° 34' 05" West, 150 feet and to the point of commencement.

BEING a portion of that certain tract of

land containing 100 acres more or less, described in that certain deed from Edward O. Webb and Henrietta L. Webb, his wife, to C.P. Murdock, dated April 15th, 1925, and recorded June 15th, 1925, in Liber 1009 of Official Records, at page 267, in the office of the County Recorder of said County of Alameda;

in exchange for the conveyance by said C.P. Murdock to East Bay Water Company of that certain real property described as follows:

All that certain lot, piece or parcel of land situate, lying and being in the Township of Eden, County of Alameda, State of California, and bounded and particularly described as follows, to-wit:

COMMENCING at a point on the Southwesterly line of Barbera Drive located thereon South $23^{\circ} 26' 55''$ East, distant 20.0 feet from the most Easterly corner of Lot Numbered 552, as the said Drive and Lot are shown upon that certain map entitled, "El Portal, Alameda County, California", etc., filed May 26, 1926, in the office of the County Recorder of said Alameda County, and running thence from said point of commencement along said Southwesterly line of Barbera Drive, South $23^{\circ} 26' 55''$ East, 82.0 feet; thence leaving said Southwesterly line of Barbera Drive, and running South $66^{\circ} 33' 05''$ West, 100 feet; thence South $42^{\circ} 01'$ West, 44.08 feet; thence South $30^{\circ} 25' 55''$ East, 55.50 feet; thence South $59^{\circ} 34' 05''$ West, 8.0 feet; thence North $30^{\circ} 25' 55''$ West, 56.48 feet; thence South $66^{\circ} 33' 05''$ West, 50.0 feet; thence North $24^{\circ} 35' 50''$ West, 57.52 feet; thence Northeasterly along the arc of a circle to the right, with a radius of 168.0 feet, a distance of 131.37 feet, the long chord of which bears North $44^{\circ} 09'$ East; thence tangent to the last mentioned circle, North $66^{\circ} 33' 05''$ East, 80.92 feet and to the point of commencement.

BEING a portion of that certain tract of land containing 100 acres more or less, described in that certain deed from Edward O. Webb and Henrietta L. Webb, his wife, to C.P. Murdock, dated Apr. 15, 1925 and recorded June 15, 1925, in Liber 1009 of Official Records, at page 267, in the office of the County Recorder of the said County of Alameda.

IT IS HEREBY FURTHER ORDERED that East Bay Water Company, a corporation, be and it is hereby authorized to transfer

the following lots, pieces or parcels of land situate, lying and being in the County of Alameda, as more particularly described in the application herein and in the "Schedule of Real Property of East Bay Water Company", attached thereto and hereby made a part of this order by reference:

1. That certain lot, piece or parcel of land, 193a, containing thirty (30) acres, more or less, situate in Township Three (3) South, Range Three (3) West, Mount Diablo Base and Meridian.
2. That certain lot, piece or parcel of land, 193c, containing seven (7) acres, more or less, situate in the County of Alameda, subject to all of the reservations expressed in that certain deed dated May 28, 1910, and recorded June 13, 1910, in Vol. 1760 of Deeds at Page 180, County of Alameda.
3. That certain lot, piece or parcel of land, 193d, containing five and 26/100 (5.26) acres, being the property generally known as "Roberts Landing", subject to all of the reservations expressed in that certain deed dated May 28, 1910, and recorded June 13, 1910, in Vol. 1760 of Deeds at Page 180, County of Alameda.
4. That certain lot, piece or parcel of land, 193e, containing thirty (30) acres, more or less, and being in Township Three (3) South, Range Three (3) West, Mount Diablo Base and Meridian, subject to all the reservations expressed in that certain deed dated May 28, 1910, and recorded June 13, 1910, in Vol. 1760 of Deeds at Page 180, County of Alameda.
5. That certain lot, piece or parcel of land, 193f, containing 3.403 acres and being in Township of Eden, County of Alameda.

IT IS HEREBY FURTHER ORDERED that the authority granted herein shall be subject to the following terms and conditions:

- (1) The authority herein granted shall apply only to such transfers as shall have been made on or before the first day of August, 1929.
- (2) A certified copy of the final instrument of conveyance to C.P. Murdock shall be filed with this Commission by East Bay Water Company within thirty (30) days of its execution.

- (3) East Bay Water Company shall notify this Commission in writing of the names and addresses of each and all parties purchasing or acquiring any right, title or interest in all or any fraction of the lots, pieces or parcels of land designated herein as 193a, 193c, 193d, 193e and 193f within thirty (30) days of the acquisition thereof by said parties.
- (4) The consideration for the transfer of the above property shall not be urged before this Commission or any public body as a finding of value for rate-fixing or any purpose other than authorized herein.

The authority herein granted shall become effective on the date hereof.

Dated at San Francisco, California, this 14th day of September, 1928.

C. Seaver

W. B. Lott

M. J. Cunn
Commissioners.